

Amend SB 2368 (house committee report) as follows:

(1) On page 1, strike lines 8 through 12 and substitute the following:

(b-2) Notwithstanding Subsection (b), the penalty for a violation of Section 39.360 in which a business entity fails to submit all required information to or knowingly submits false information to an independent organization certified under Section 39.151 may be in an amount not to exceed \$1 million for each violation.

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 117, Business & Commerce Code, is amended by adding Section 117.004 to read as follows:

Sec. 117.004. ENFORCEMENT BY PUBLIC UTILITY COMMISSION OF TEXAS. (a) The Public Utility Commission of Texas may impose an administrative penalty in the manner provided by Chapter 15, Utilities Code, on a business entity that is subject to the jurisdiction of the commission under Title 2, Utilities Code, for a violation of this chapter in which the business entity enters into an agreement granting a company access to or control of the business entity's critical electric grid equipment or critical infrastructure.

(b) The penalty for a violation described by Subsection (a) may be in an amount not to exceed \$1 million for each violation.

SECTION _____. Subchapter B, Chapter 15, Utilities Code, is amended by adding Sections 15.034 and 15.035 to read as follows:

Sec. 15.034. CONFIDENTIALITY OF ENFORCEMENT INFORMATION. (a) Information and material in the possession of or obtained or compiled by the commission that is related to a commission enforcement proceeding under this subchapter is confidential and not subject to disclosure under Chapter 552, Government Code.

(b) Information and material in the possession of or obtained or compiled by the commission that is related to a commission enforcement proceeding under this subchapter is not subject to disclosure, discovery, subpoena, or any other means of legal compulsion for release, except:

(1) to the commission or an employee or agent of the

commission; or

(2) at the commission's discretion, to:

(A) a person involved in the enforcement proceeding;

(B) a law enforcement agency; or

(C) a member of the legislature.

Sec. 15.035. APPLICABILITY. For the purposes of imposing an administrative penalty under this subchapter, "person" includes:

(1) an electric utility as defined by Section 31.002;

(2) a municipally owned utility; and

(3) an electric cooperative.

SECTION _____. Section 15.035, Utilities Code, as added by this Act, applies only to a violation committed on or after the effective date of this Act. A violation committed before the effective date of this Act is governed by the law in effect when the violation was committed, and the former law is continued in effect for that purpose.